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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA  
ROBERT N.C. NIX BUILDING  
900 MARKET STREET  
SUITE 400  
PHILADELPHIA 19107-4299

Timothy B. McGrath  
Clerk

Telephone  
(215) 408-2800

January 27, 2017

Re: Evelyn Rivera  
Bankruptcy No.: 16-16269AMC  
Civil Action No.

Dear Mary C. Barkman, Clerk of Court:

We herewith transmit the following document(s) filed in the above matter(s), together with a certified copy of the docket entries:

- ☐ Certificate of appeal from order entered by the Honorable .  
Notice of appeal filing fee ☐paid ☐not paid
- ☐ Designation of Record on Appeal Filed
- ☐ Designation of Record on Appeal Not Filed
- ☐ Supplemental certificate of appeal.
- ☐ Motion for leave to appeal filed .  
☐ Answer to motion filed .
- ☐ Proposed findings of fact and conclusions of law entered by the Honorable .  
☐ Objections filed .
- ☐ Report and recommendation entered by the Honorable .  
☐ Objections filed .
- ☐ Original record transferred to the District Court pursuant to the order of the Honorable .
- ☒ Other: Petition to Proceed In Forma Pauperis and Motion/Petition to Consolidate for Appeal

Kindly acknowledge receipt on the copy of the letter provided.

For the Court

Timothy B. McGrath  
Clerk

Stacey  
By: \_\_\_\_\_  
Deputy Clerk

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Received Above material or record tile this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Civil Action No. \_\_\_\_\_ Signature: \_\_\_\_\_

Miscellaneous No. \_\_\_\_\_ Date: \_\_\_\_\_

Assigned to Judge \_\_\_\_\_

In The United States Bankruptcy Court  
For the Eastern District of Pennsylvania

In Re: Evelyn Rivera <sup>X</sup> Bankruptcy No # 16-16269-2016

John J Lynch

adversary Complaint No # 1600301 AM

Evelyn Rivera

2016

appealed

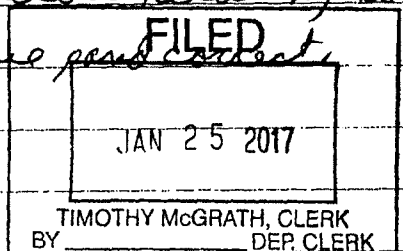
Petition to Proceed In Forma Pauperis

To: the Judges of the United States Bankruptcy Court

1. I John J Lynch am the creditor/plaintiff in the above "matters" and because of my financial condition I am unable to pay the fees, and cost of prosecuting the appeals in the action/proceedings stated,
2. I am unable to obtain funds from anyone, including my family, and associates, to pay the cost of litigation
3. I represent that the information below relating to my ability to pay fees/cost are true and correct.

a. name - John J. Lynch

3281 Red Lion Rd apt 1  
Phila PA, 19114





b. Employment - none

c. Other income within the past 12 months

Business or Profession - none

Self employment - none

Interest - none

Dividends - none

Pension - 1075.00 VA,

Social Security - none

Support payments - none

Disability payments - none - or see pensions.

Unemployment Comp - none

Workers Comp - none

Public Assist. - 26.00 food stamps + (H, U, D, V, A, S, H)

Other - none

d. Other contributions to household.

none

e. Property owned

Cash - none

Checking - (-4.35) Citizens

Savings - none

Cert of Deposit - none

Real Estate - none

Motor Vehicle - 99 Chevy Broke down



Stocks and bonds - none  
other - none

F. Debts and obligations

Phone 40.00 mo, Elect. 75.00 mo, GAS 75.00 mo  
Rent - 195.00

LOANS - 1,300.00 Ship Motors

- 300.00 Mom

other - Medical Bills 15,000.00

ARIA Health system

g. Persons dependent upon you for support  
none - help mom out with money  
when I can, she 84yrs

4. I understand that I have a continuing obligation to inform the Court of improvements in my financial circumstances which would permit me to pay the cost incurred herein.

5. I verify that the statements made herein this affidavit are true and correct, I understand that false statements herein are subject to the penalties in the U.S.C.

John J. Lynch

John J. Lynch  
1-4-17

In the United States Bankruptcy Court  
For the Eastern District of Pennsylvania

John J. Lynch

No. # 1600301 - 2016 AMC

Evelyn Rivera

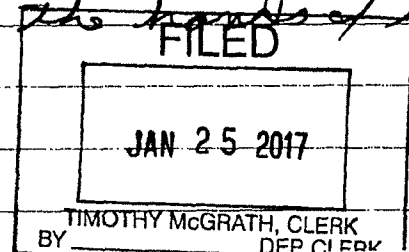
In Re Evelyn Rivera No. # 16269-2016 AMC

By adversary

Motion/Petition to Consolidate for Appeal  
to the Chief Judge of the Court;

John J. Lynch adversary Petitions and/or  
otherwise moves to Consolidate the above  
captioned matters for appeal before  
the United States District Court for the  
Eastern District of Pennsylvania,  
and represents the following:

1. As it is illustrated by the exhibits attached  
to the Petition to appeal Nunc Pro Tunc  
the order of the Court was delayed  
in being delivered into the hands of the  
appellant,



- 2 The issues as to non discharge ability  
ring in both matters.
- 3, the issues as to the insurance coverage  
being accessible to the appellant under  
Pa. R. C. P. 3159 A (c) ring in both  
matters
- 4, That by filing a Bankruptcy before this  
Court the Petitioner opened the door  
and placed the entire estate including  
the ~~the~~ issue of the insurance payout,  
as well as loss of lien priority for lack of  
that required coverage on the interest of  
Both the owner, and other interested parties  
in the estate.
- 5, that the adversary holds judgement  
for personal injury of a permanent nature  
to his left eye, caused by the debtors  
willful conduct in opening a locked door  
to dangerous, and violent persons, and did  
bring a violent episode into the adversary  
Residence as discussed in Petitioners response  
to motion to dismiss, instead of waiting for  
the police to arrive.

6. That the Estate must produce the Insurance information so a claim may be processed, and paid or suffer the loss in the amount owed by the judicial lien for the willful conduct that caused the injury as stated.
7. That it is economic and time saving in the consideration of the matter for appeal,

Respectfully,  
Submitted  
Josh Lynch  
1-18-17

## Certificate of Service

I John J Lynch certifies herein that I have served the attached L F P, and notice of appeal upon the persons listed below by 1<sup>st</sup> class mail on the 18<sup>th</sup> day of January 2017 (along with Motion to Consolidate)

John J Lynch

1. Jennifer Schultz Esq  
1410 West Erie Ave  
Phila PA, 19104

2. Gary F Derty Esq  
U D trustee  
601 Walnut st  
suite # 280  
Phila PA, 19106

3. Representing Bayview  
KML Group LLC  
701 Market st  
Phila PA 19106

3. Evelyn Rivera  
10814 Modena terr.  
Phila PA, 19154

727OBJ, IFP, APPEAL

**U.S. Bankruptcy Court  
Eastern District of Pennsylvania (Philadelphia)  
Bankruptcy Petition #: 16-16269-amc**

*Assigned to:* Judge Ashely M. Chan  
Chapter 7  
Voluntary  
No asset

*Date filed:* 09/07/2016  
*341 meeting:* 10/11/2016  
*Deadline for filing claims (govt.):* 03/06/2017  
*Deadline for objecting to discharge:* 12/05/2016  
*Deadline for financial mgmt. course:* 12/05/2016

***Debtor***

**Evelyn Rivera**  
10814 Modena Ter  
Philadelphia, PA 19154  
PHILADELPHIA-PA  
SSN / ITIN: xxx-xx-2232

represented by **JENNIFER SCHULTZ**  
Community Legal Services  
North Philadelphia Law  
Center  
1410 W. Erie Avenue  
Philadelphia, PA 19140-4111  
215 227-2400x2420  
Fax : 215 227-2435  
Email: [jschultz@clsphila.org](mailto:jschultz@clsphila.org)

***Trustee***








**GARY F. SEITZ**  
Gellert Scali Busenkell & Brown LLC  
The Curtis Center  
601 Walnut Street  
Suite 280 South  
Philadelphia, PA 19106  
215-238-0011








represented by **GARY F. SEITZ**  
Gellert Scali Busenkell &  
Brown LLC  
The Curtis Center  
601 Walnut Street  
Suite 280 South  
Philadelphia, PA 19106  
215-238-0011  
Fax : 215-238-0016  
Email: [gseitz@gsbblaw.com](mailto:gseitz@gsbblaw.com)











***U.S. Trustee***








**United States Trustee**  
Office of the U.S. Trustee  
833 Chestnut Street  
Suite 500  
Philadelphia, PA 19107  
(215) 597-4411

Filing Date	#	Docket Text
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09/07/2016	 <u>1</u>	Chapter 7 Voluntary Petition for Individual . IFP waived Filed by Evelyn Rivera. Government Proof of Claim Deadline: 03/6/2017.Chapter 7 Statement of Your Current Monthly Income Form 122A-1 Due09/21/2016 Schedule C due 09/21/2016. Schedule D due 09/21/2016. Schedule E/F due 09/21/2016. Schedule G due 09/21/2016. Schedule H due 09/21/2016. Statement of Financial Affairs due 09/21/2016. Summary of Assets and Liabilities Form B106 due 09/21/2016. Means Test Calculation Form 122A-2 Due: 9/21/2016.. Incomplete Filings due by 09/21/2016. (SCHULTZ, JENNIFER) Modified on 9/8/2016 (G., Jennifer). (Entered: 09/07/2016)
09/07/2016	 <u>2</u>	Matrix Filed. Number of pages filed: 9, Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/07/2016)
09/07/2016	 <u>3</u>	Statement of Social Security Number Received. Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/07/2016)
09/07/2016	 <u>4</u>	Application to Have the Chapter 7 Filing Fee Waived, to Proceed In Forma Pauperis Filed by Evelyn Rivera Represented by JENNIFER SCHULTZ (Counsel). (SCHULTZ, JENNIFER) (Entered: 09/07/2016)
09/07/2016	 <u>5</u>	Certificate of Credit Counseling Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/07/2016)
09/08/2016	 <u>6</u>	Notice of Appointment of Trustee . GARY F. SEITZ added to the case.. (MILLER, NANCY) (Entered: 09/08/2016)
09/08/2016	 <u>7</u>	Order Entered the debtor having failed to file or submit with the petition all of the documents required by Fed. R. Bankr.P.1007, It is hereby ORDERED that this case <b>MAY BE DISMISSED WITHOUT FURTHER NOTICE</b> if the documents listed are not filed by deadlines listed: Chapter 7 Statement of Your Current Monthly Income Form 122A-1 Due09/21/2016 Schedule C due 09/21/2016. Schedule D due 09/21/2016. Schedule E/F due 09/21/2016. Schedule G due 09/21/2016. Schedule H due 09/21/2016. Statement of Financial Affairs due 09/21/2016. Summary of Assets and Liabilities Form B106 due 09/21/2016. Means Test Calculation Form 122A-2 Due:

		9/21/2016. Any request for an extension of time must be filed prior to the expiration of the deadlines listed. (G., Jennifer) (Entered: 09/08/2016)
09/10/2016	 <u>8</u>	BNC Certificate of Mailing - Voluntary Petition. Number of Notices Mailed: (related document(s) (Related Doc # <u>7</u> )). No. of Notices: 1. Notice Date 09/10/2016. (Admin.) (Entered: 09/11/2016)
09/11/2016	 <u>9</u>	Notice of Appearance and Request for Notice Filed by Synchrony Bank. (SINGH, RAMESH) (Entered: 09/11/2016)
09/12/2016	 <u>10</u>	Adversary case 16-00301. Complaint by John J. Lynch against Evelyn Rivera , BANK OF AMERICA , Bayshore Loan Servicing , KML Group, Inc. . Fee Amount \$0.00 . (Attachments: # <u>1</u> Adversary Coversheet # <u>2</u> Certificate of Service) (21 (Validity, priority or extent of lien or other interest in property)) ,(31 (Approval of sale of property of estate and of a co-owner - 363(h))) ,(41 (Objection / revocation of discharge - 727(c),(d),(e))) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury)) ,(91 (Declaratory judgment)) (G., Jennifer) (Entered: 09/12/2016)
09/12/2016	 <u>11</u>	Meeting of Creditors . 341(a) meeting to be held on 10/6/2016 at 10:00 AM at 833 Chestnut Street, Suite 501, Philadelphia, PA. Financial Management Course Certificate Due: 12/5/2016. Last day to oppose discharge or dischargeability is 12/5/2016. (P., Cathy) (Entered: 09/12/2016)
09/13/2016	 <u>12</u>	Notice of Appearance and Request for Notice by CELINE P. DERKRIKORIAN Filed by CELINE P. DERKRIKORIAN on behalf of Bayview Loan Servicing, LLC, A Delaware Limited Liability Company. (Attachments: # <u>1</u> Certificate of Service) (DERKRIKORIAN, CELINE) (Entered: 09/13/2016)
09/14/2016	 <u>13</u>	BNC Certificate of Mailing - Meeting of Creditors. Number of Notices Mailed: (related document(s) (Related Doc # <u>11</u> )). No. of Notices: 51. Notice Date 09/14/2016. (Admin.) (Entered: 09/15/2016)
09/16/2016	 <u>14</u>	Continued Meeting of Creditors. 341(a) meeting to be held on 10/11/2016 at 10:00 AM at U.S. Bankruptcy Court Mediation Room Four, 900 Market Street, Room No. 236, Philadelphia. Financial Management Course Certificate Due: 12/5/2016. Last

		day to oppose discharge or dischargeability is 12/5/2016. (H., Lisa) (Entered: 09/16/2016)
09/18/2016	 <u>15</u>	BNC Certificate of Mailing - Meeting of Creditors. Number of Notices Mailed: (related document(s) (Related Doc # <u>14</u> )). No. of Notices: 52. Notice Date 09/18/2016. (Admin.) (Entered: 09/19/2016)
09/20/2016	 <u>16</u>	Chapter 7 Statement of Your Current Monthly Income Form 122A-1 Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/20/2016)
09/20/2016	 <u>17</u>	Statement of Financial Affairs for Individual Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/20/2016)
09/20/2016	 <u>18</u>	Schedules A/B - J <i>Deficiencies only</i> C - H Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/20/2016)
09/20/2016	 <u>19</u>	Summary of Assets and Liabilities and Certain Statistical Information Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/20/2016)
09/21/2016	 <u>20</u>	Statement of Intent. Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 09/21/2016)
10/06/2016		Meeting of Creditors Held and Concluded on: 10/6/2016. (SEITZ, GARY) (Entered: 10/06/2016)
10/07/2016	 <u>21</u>	Praeipce to Withdraw <i>Meeting Held and Concluded Notice</i> Filed by GARY F. SEITZ on behalf of GARY F. SEITZ (related document(s)). (SEITZ, GARY) (Entered: 10/07/2016)
10/11/2016		Meeting of Creditors Held and Concluded on: 10/11/2016. (SEITZ, GARY) (Entered: 10/11/2016)
10/11/2016		Chapter 7 Trustee's Report of No Distribution: having been appointed trustee of the estate of the above-named debtor(s), report that I have neither received any property nor paid any money on account of this estate; that I have made a diligent inquiry into the financial affairs of the debtor(s) and the location of the property belonging to the estate; and that there is no

		property available for distribution from the estate over and above that exempted by law. Pursuant to Fed R Bank P 5009, I hereby certify that the estate of the above-named debtor(s) has been fully administered. I request that I be discharged from any further duties as trustee. Key information about this case as reported in schedules filed by the debtor(s) or otherwise found in the case record: This case was pending for 1 months. Assets Abandoned (without deducting any secured claims): \$ 195571.00, Assets Exempt: \$ 18900.00, Claims Scheduled: \$ 442147.81, Claims Asserted: Not Applicable, Claims scheduled to be discharged without payment (without deducting the value of collateral or debts excepted from discharge): \$ 442147.81. Filed by GARY F. SEITZ. (SEITZ, GARY) (Entered: 10/11/2016)
12/01/2016	 <u>21</u>	Disposition of Adversary 2:16-ap-301 dismissed (related document(s) <u>5</u> , <u>1</u> ). (D., Stacey) (Entered: 12/01/2016)
12/05/2016	 <u>22</u>	Debtor Education Financial Management Course Certificate Filed for Debtor. Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera. (SCHULTZ, JENNIFER) (Entered: 12/05/2016)
12/06/2016	 <u>23</u>	Motion to Avoid Lien with John Lynch Filed by Evelyn Rivera Represented by JENNIFER SCHULTZ (Counsel). (Attachments: # <u>1</u> Proposed Order # <u>2</u> Service List # <u>3</u> Exhibit Ex A # <u>4</u> Exhibit Ex B # <u>5</u> Exhibit Ex C) (SCHULTZ, JENNIFER) (Entered: 12/06/2016)
12/06/2016	 <u>24</u>	Notice of (related document(s): <u>23</u> Motion to Avoid Lien with John Lynch ) Filed by Evelyn Rivera. Hearing scheduled 1/4/2017 at 11:00 AM at nix5 - Courtroom #5. (SCHULTZ, JENNIFER) (Entered: 12/06/2016)
12/06/2016	 <u>25</u>	Certificate of Service Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera (related document(s) <u>24</u> , <u>23</u> ). (SCHULTZ, JENNIFER) (Entered: 12/06/2016)
12/14/2016	 <u>26</u>	Order Granting Application to Have the Chapter 7 Filing Fee Waived, To Proceed in forma pauperis (Related Doc # <u>4</u> ) (D., Stacey) (Entered: 12/14/2016)
12/16/2016	 <u>27</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>26</u> )). No. of Notices: 1. Notice Date 12/16/2016. (Admin.) (Entered: 12/17/2016)

12/20/2016	● <u>28</u>	(Letter) Response to Motion to Avoid Lien filed by Debtor Evelyn Rivera Filed by John Lynch (related document(s) <u>23</u> ). (D., Stacey) (Entered: 12/20/2016)
12/30/2016	● <u>29</u>	Proposed Order Re: Filed by JENNIFER SCHULTZ on behalf of Evelyn Rivera (related document(s) <u>23</u> ). (SCHULTZ, JENNIFER) (Entered: 12/30/2016)
01/04/2017	● <u>30</u>	Hearing Held on <u>23</u> Motion to Avoid Lien with John Lynch Filed by Evelyn Rivera Represented by JENNIFER SCHULTZ (Counsel). (Attachments: # 1 Proposed Order # 2 Service List # 3 Exhibit Ex A # 4 Exhibit Ex B # 5 Exhibit Ex C) filed by Debtor Evelyn Rivera (related document(s), <u>23</u> ). Order entered. (D., Stacey) (Entered: 01/04/2017)
01/04/2017	● <u>31</u>	Order Granting Motion To Avoid Lien with John Lynch. (Related Doc # <u>23</u> ) (D., Stacey) (Entered: 01/05/2017)
01/07/2017	● <u>32</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>31</u> )). No. of Notices: 1. Notice Date 01/07/2017. (Admin.) (Entered: 01/08/2017)
01/13/2017	● <u>33</u>	BNC Certificate of Mailing - PDF Document. (related document(s) (Related Doc # <u>31</u> )). No. of Notices: 3. Notice Date 01/13/2017. (Admin.) (Entered: 01/14/2017)
01/25/2017	● <u>34</u>	Notice of Appeal to District Court. . Receipt Number 0, Fee Amount \$0 Filed by John Lynch (related document(s) <u>31</u> ). Appellant Designation due by 2/8/2017. Transmission of record on appeal to District Court Due Date:2/22/2017. CC: Judge Chan, District Court, U.S. Trustee, Jennifer Schultz, Gary Seitz, John J. Lynch (1-26-17)(D., Stacey) . (Entered: 01/26/2017)
01/25/2017	● <u>36</u>	Petition to Proceed In Forma Pauperis on Notice of Appeal Filed by John Lynch . (D., Stacey) (Entered: 01/26/2017)
01/25/2017	● <u>37</u>	Motion/Petition to Consolidate for Appeal Filed by John Lynch Represented by Self(Counsel). (D., Stacey) (Entered: 01/26/2017)
01/26/2017	● <u>35</u>	Courts Certificate of mailing : CC; Judge Chan, U.S. District Court, U.S. Trustee, Jennifer Schultz, Gary Seitz, John J. Lynch (1-26-17) (related document(s) <u>34</u> ). (D., Stacey) (Entered: 01/26/2017)

A TRUE COPY CERTIFIED  
TO BE FROM THE RECORD

DATED: 1-27-17  
ATTEST: *[Signature]*